

JULY 17 2004

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)						Docket No. 16365Z
In Re Application Of: Tom A. Grigliatti, et al. OCT 22 2004						
		Filing Date June 29, 2001	Examiner N. S. Vogel	Customer No. 23389	Group Art Unit 1636	Confirmation No. 3346
Invention: INSECT EXPRESSION VECTORS						
10/25/2004 FMETEKI1 00000028 193886 09896888 01 FC:1253 560.00 DA						
10/25/2004 FMETEKI1 00000028 09896888 <u>COMMISSIONER FOR PATENTS:</u>						
02 FC:1401 340.00 DA This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>April 20, 2004</u> in the above-identified application. <u>Date</u>						
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <u>April 20, 2004</u> finally rejecting Claim(s) 1, 4-17, 23 and 27-29						
Applicant(s) hereby request(s) an extension of time of (check desired time period): * <input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months						
from: <u>July 20, 2004</u> <u>Date</u>			until: <u>October 20, 2004</u> <u>Date</u>			
The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:						
Fee for Notice of Appeal: \$340.00						
* Fee for Extension of Time: \$560.00 *						
** Two Month Extension of Time (\$420) previously paid on 9/20/04						
TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$900.00</u>						
The fee for the Notice of Appeal and extension of time is to be paid as follows:						
<input type="checkbox"/> A check in the amount of <u>\$0.00</u> for the Notice of Appeal and extension of time is enclosed.						
<input checked="" type="checkbox"/> Please charge Deposit Account No. <u>19-3886/RCT</u> in the amount of <u>\$900.00</u>						
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <u>19-3886/RCT</u>						
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.						
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.						
<input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. <u>19-3886/RCT</u>						
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)

Docket No.
16365Z

In Re Application of: Tom A. Grigliatti, et al.

OCT 22 2004

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/896,888	2001	N. S. Vogel	23389	1636	3346

Invention:

INSECT EXPRESSION VECTORS

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


Signature

Dated: October 20, 2004

Frank S. DiGiglio
Registration No. 31,346
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530

(516) 742-4343

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax no.) on

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on

October 20, 2004

(Date)


Signature of Person Mailing Correspondence

Frank S. DiGiglio

Typed or Printed Name of Person Mailing Correspondence

*This certificate may only be used if paying by deposit account.

CC: